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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/520,030

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Etienne Chapelain

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757 7590 10/14/2008
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EXAMINER

SPISICH, GEORGE D

ART UNIT

PAPER NUMBER

3616

MAIL DATE

DELIVERY MODE

10/14/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/520,030	Applicant(s) CHAPELAIN ET AL.	
	Examiner GEORGE D. SPISICH	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☒ Claim(s) 6-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 June 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Fujita (USPN 6,139,051).

Fujita discloses a steering wheel comprising a frame to be connected to a steering shaft, the frame having radially outwardly extending spokes and a rim. The frame defines a recess to receive an air-bag unit. The steering wheel being provided with a plurality of mounting elements (44a,44b) being associated with a respective spoke and having a portion that lies over top an external part of the steering wheel. Examiner points that the hub/airbag unit is not inherently considered the steering wheel. Therefore, the portion of the steering wheel where the upper flange (near 44b) overlies, is properly considered an external part of the steering wheel even though a portion of the airbag unit extends to cover the flange such that it is not exposed. Each of the mounting elements being adjacent a periphery of the air-bag unit, the air-bag unit being connected to the mounting elements by means of a respective resiliently biased connection, which is a compressible helical spring (55B), to enable relative movement of the air-bag unit with respect to the steering wheel. The periphery of the airbag unit

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defines a substantially predetermined gap with the portion of the mounting element.

Since these elements are spaced, they are considered to have a "predetermined gap".

At least one of the resiliently biased connections between the airbag unit and one of the mounting elements of the steering wheel includes electric contacts configured to be moved to touch each other on movement of the airbag unit against the bias of the resiliently biased connection to complete and horn or hooter circuit.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fujita (USPN 6,139,051) in view of Kikuta et al. (USPN 6,600,114).

Fujita has been discussed in the prior rejection. However, Fujita does not disclose a "snap" socket for connecting the upper portion of the spring on a projecting peripheral lip of the airbag unit.

Kikuta et al. discloses a projecting peripheral lip on the airbag unit that defines a socket that receives the upper portion of the spring. It would be considered that the spring is "snap-fit" in the socket. The socket serves to more securely retain the spring and to provide a more secure connection of the spring to the airbag unit.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the spring connection of Fujita by providing a socket connection as taught by Kikuta et al. to securely retain the spring and airbag unit.

Allowable Subject Matter

Claims 6-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed June 17, 2008 have been fully considered but they are not persuasive.

With respect to Applicant's argument that Fujita does not show a mounting element that "lies over top of an external part of the steering wheel", Examiner disagrees and maintains the rejection. Examiner states that the steering wheel does not inherently include the airbag module and the cover that extends to the hand grip portion of the steering wheel. Given this, it is considered that the mounting element does "lie over top of the external part of the steering wheel" even though it may be covered by the airbag door/panel. Examiner believes that Applicant intends that the amended language be limited to the mounting element being exposed and extending beyond the airbag door and not covered by the airbag door when viewed from the front but this interpretation is not the only or broadest reasonable interpretation. The term

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“external” is considered broad, along with the broader interpretation of which portions are considered the steering wheel.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GEORGE D. SPISICH whose telephone number is (571)272-6676. The examiner can normally be reached on Monday-Friday from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, John Q. Nguyen can be reached on (571) 272-6952. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John Q. Nguyen/
Supervisory Patent Examiner, Art Unit 3616

/George D. Spisich/
Examiner, Art Unit 3616
October 8, 2008